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Art/1631/A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Rimm et al

Serial No.: 10/062,308

Filed: February 1, 2002

For: *Systems and Methods for Automated Analysis of  
Cells and Tissues*

Examiner: Mahatan, Channing

Group Art Unit: 1631

Docket No.: YUA-001.01

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September 20, 2004

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By: Shirine Darvish

Shirine Darvish

**RESPONSE AND AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action, mailed June 16, 2004, in the above-identified application, Applicants submit the following remarks and amendments in this request for reconsideration. Applicants request a one month extension of time in which to respond to this Action. A Petition for a one month extension of time and a check for the appropriate fee are being submitted herewith. The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account Number **06-1448, Reference YUA-001.01.**

Applicants request that the finality of the prior rejection be withdrawn, since the 6,727,071 patent, which is the basis of the new prior art rejections, is a continuation-in-part of U.S. Patent No. 5,989,835, which was previously brought to the Examiner's attention by Applicants in an information disclosure statement. The teaching of the '071